

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

JS 6

Case No. CV 11-2154 DSF (Ex)Date 3/22/11Title Federal Home Loan Mortgage Corporation v. Richard W. Belton

Present: The Honorable	<u>DALE S. FISCHER</u> , United States District Judge
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Debra Plato	Not Present
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Deputy Clerk	Court Reporter
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Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present	Not Present
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Proceedings: (In Chambers) Order REMANDING Case to Superior Court of California, County of Los Angeles

This matter was removed from state court on March 14, 2011, based on federal question and federal civil rights jurisdiction. The complaint is a state law unlawful detainer complaint and does not state a federal cause of action. While the notice of removal claims jurisdiction under 28 U.S.C. § 1443 due to a denial of due process, (see Notice of Removal ¶ 4), federal jurisdiction is based on the plaintiff's complaint and not on any federal counterclaims or defenses that a defendant might assert. See Holmes Group, Inc. v. Vornado Air Circulation Sys., Inc., 535 U.S. 826, 830-32 (2002).

The case is REMANDED to the Superior Court of California, County of Los Angeles.

IT IS SO ORDERED.